

Docket No.: 285291US0PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

GROUP: 4181

Tsutomu FUKUDA, et al.

SERIAL NO: 10/566,270

EXAMINER: LI, JUN

FILED: January 30, 2006

FOR: HONEYCOMB CARRIER FOR EXHAUST GAS CLARIFICATION
CATALYST AND METHOD FOR PRODUCTION THEREOF

DECLARATION UNDER 37 C.F.R. § 1.132

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

Sir:

Now comes Masahiro FUKUDA who deposes and states that:

1. I am a graduate of Kobe University and received my BS degree in the year 1996.
2. I have been employed by OHCERA for 8 years as a researcher in the field of inorganic materials chemistry.
3. The following experiments were carried out by me or under my direct supervision and control.

I have reviewed and understood the Office Action dated May 13, 2009 and I have read and understood the contents of Ono (US 4,483,940), Giordano (Journal of the European Ceramic Society 2002, 22:1811-1822), Fukuda (JP 2002-145659) and Noda (US 2001/0056034) or Japanese language equivalents thereof.

Applicants present a following result demonstrating that a honeycomb carrier of aluminum manganese titanate with alkali feldspar which is a present inventive embodiment, is superior to that of aluminum manganese titanate and that of aluminum titanate with alkali feldspar in thermal decomposition resistance.

(1) Materials

Example 1-1: a honeycomb carrier of aluminum manganese titanate with alkali feldspar described at from page 13, line 25 to continuing page 32, line 22 in original specification.

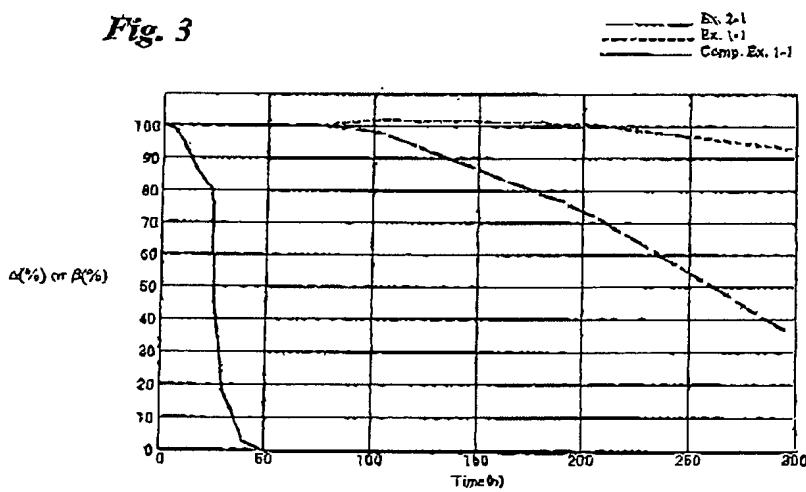
Example 2-1: a honeycomb carrier of aluminum titanate with alkali feldspar described at from page 39, line 7 to continuing page 40, line 10 .

Comp. Example 1-1: a honeycomb carrier of aluminum manganese titanate described at from page 32, lines 23-27 in original specification.

(2) Experiment

A thermal decomposition resistance described at page 44, line 8 to continuing page 45, line 20 was further carried out at 1100°C for 300 hours with Example 1-1, Comp. Example 1-1 and Example 2-1 listed above.

Figure 3 shows the test result showing the remaining ratio β (%) of each tested sample as a function of time.



The result in Figure 3 clearly demonstrates that a honeycomb carrier of aluminum manganese titanate with alkali feldspar which is a present inventive embodiment, has a superior thermal decomposition resistance to that of aluminum manganese titanate and that of

aluminum titanate with alkali feldspar. Particularly, the superiority becomes more manifested as the experimental time progresses, e.g. after 300 hrs, the honeycomb carrier of aluminum manganese titanate with alkali feldspar shows the remaining ratio β (%) of at 90% or higher while the others show below 40% or much less.

It is my opinion, based on the examples above and the examples of the specification, that the superior thermal decomposition resistance shown herein for Example 1-1 should not have been foreseen based on the disclosures of Ono, Giordano, Fukuda and Noda.

In my understanding, therefore, the Office is of the opinion that the honeycomb carrier of Fukuda would have the same properties but, as stated and shown above, the Office is not correct.

The undersigned petitioner declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

4. Further deponent saith not.

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Hiroyuki Fukuda
Signature

Date

2009/10/1st